

UNITED STATES FEDERAL DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
AT DAYTON

**IRON WORKERS DISTRICT COUNCIL  
OF SOUTHERN OHIO & VICINITY  
BENEFIT TRUST., et al.,**

Plaintiffs,

v.

**HUBER INC, LLC, et al.,**

Defendants.

CASE NO. 3:18-CV-129

JUDGE WALTER H. RICE

**JOINT MOTION FOR  
A CONSENT ORDER AND  
STAY OF EXECUTION**

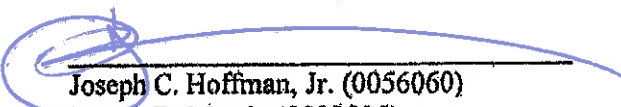
Now come the Plaintiffs Iron Workers District Council of Southern Ohio & Vicinity Benefit Trust, Iron Workers District Council of Southern Ohio & Vicinity Pension Trust, and Iron Workers District Council of Southern Ohio & Vicinity Annuity Trust (collectively the "Trusts" or the "Plaintiffs"), and Defendants Huber Inc, LLC, Clinton M. Huber, Stephanie A. Huber, and Robert J. Huber (collectively the "Defendants"), and hereby provide this Court with notice of the parties' settlement and jointly move this Court for a Consent Order. Pursuant to the parties' Settlement Agreement and consistent with Section 206(d)(4) of the Employee Retirement Income Security Act (ERISA), the parties respectfully request a Consent Order from this Court that states as follows:

1. This Consent Order shall operate to supplement this Court's Orders issued on July 17, 2018 in this Case (Doc #: 12 Filed: 07/17/18).
2. In connection with a violation of Part 4 of Title 1 of ERISA a monetary judgment was entered by this Court against Defendants in the favor of the Plaintiff Trust Funds in the amount of \$264,134.55, and Defendant Clinton M. Huber has been ordered by the Court to pay the monetary judgment in this case. The full gross

amount of Clinton M. Huber's benefits under the Iron Workers District Council of Southern Ohio & Vicinity Annuity Plan (the "Annuity Plan") in his account balance as of the date of entry of this Consent Order shall be offset in its entirety, and paid to the Iron Workers District Council of Southern Ohio & Vicinity Clearing Account. Defendant Clinton M. Huber will receive the appropriate tax form so that he may report and pay all applicable taxes.

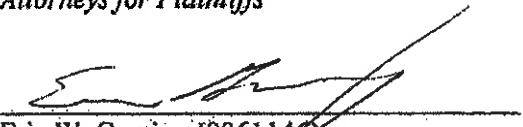
3. Defendant Clinton M. Huber's spouse has consented in writing to the offset and payment required by this Consent Order.
4. Defendant Clinton M. Huber shall comply with all reasonable requests by the Plaintiffs and their agents to facilitate the payment, as described herein, from the Annuity Fund to the Clearing Account.
5. Pursuant to the parties' Settlement Agreement, the Plaintiffs shall stay enforcement of the judgments obtained in this Case against the Defendants, except as provided in this Consent Order relative to the offset and transfer of Clinton Huber's full account balance in the Annuity Plan.
6. This Court shall retain jurisdiction over this Case pending Defendants' compliance with its Orders and the terms of the parties' Settlement Agreement.

Respectfully submitted,



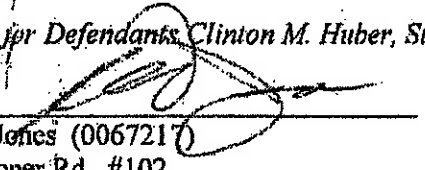
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